

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Michal DANIELY et al

Serial No.: 10/771,440

Filed: February 5, 2004

**For: METHODS OF DETECTING
CANCER CELLS IN
BIOLOGICAL SAMPLES**

Examiner: Duffy, Bradley

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Group Art Unit: 1643

Attorney
Docket: 26003

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

DECLARATION UNDER 37 CFR 1.132

Sir:

We, Michal Daniely of 5 Harimon Street, 55900 Ganei Tikva, Israel; Tal Kaplan of 4/3 HaMagal Street, 70800 Gan-Yavne, Israel; Eran Kaplan of 3 Paldi Street, 76248 Rechovot, Israel; and Avner Freiburger of 19b Emek Dotan Street, 44621 Kfar-Saba, Israel; declare as follows:

Considered
/BD/
2/11/2008

1. We are the only inventors of the invention disclosed and claimed in the above-identified application; and
2. That the co-authors, Ronni Rona, Shirley Olsfanger, Lea Elbojm, Yulia Zilberstein, Dvora Kidron, Sylvia Lew and Ilan Leibovich identified in an abstract entitled "*Combined analysis of morphology and FISH for the monitoring of bladder cancer*", published on September 2003 in *Annales de Genetique*, 46:153, were identified as co-authors on an oral presentation for their collaborative efforts operating under our guidance and direction, and were not co-inventors of the above-identified application. We declare that all statements made herein of our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willfully false statements are punishable by fine or imprisonment under 18 U.S.C. Section 1001 and that any such statement may jeopardize the validity of the subject application or any patent issued thereon.